IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPLICATION NO.5392 OF 2005

Taher Mohammed Poonawala ...Applicant
vs.
State of Maharashtra ...Respondent

Ms T.K.Calcuttawala i/by M/s.I.K.C. Law Associates for the Applicant
Ms M.H.Mhatre, A.P.P. for State

CORAM: A.S.OKA,J.
DATE : SEPTEMBER 19,2005

P.C.:

1. Heard Advocate for the Applicant. The prayer in this Application is for modification of the condition imposed by the learned Additional Sessions Judge directing the Applicant to furnish Bank Guarantee of Rs.50,000/- of a nationalised bank. The perusal of the order passed by the learned Additional Sessions Judge on 22nd June 2005 shows that the Advocate for the Applicant made a statement that the Applicant is ready to offer bank guarantee of Rs.50,000/- within a period of three weeks and the Applicant will cooperate with the Investigating Officer. The learned Advocate for the Applicant submitted that she herself appeared before the learned Additional Sessions Judge and in fact no such statement was made by her.

2. It is well settled that if a statement is wrongly recorded by a Court, remedy for the Applicant is to approach the same Court and seek necessary clarification. Hence, this Application is not entertained at this stage and is rejected with liberty to the Applicant to move the concerned Court for necessary clarification.

JUDGE